

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

15cr607

-against-

STIPULATION AND ORDER  
APPOINTING DISCOVERY  
COORDINATOR

JAMES CAPERS, *et al.*,

Defendants.

WILLIAM H. PAULEY III, District Judge:

It is hereby stipulated and agreed among counsel for the United States of America and counsel for each of the indigent Defendants in this criminal action that Emma M. Greenwood be appointed as Discovery Coordinator to facilitate the orderly production and dissemination of voluminous common discovery, typically in electronic form, by the Government to all court-appointed counsel for indigent Defendants.

It is further stipulated among the parties that the Discovery Coordinator shall perform the following tasks:

- (A) Assist court-appointed counsel by distributing voluminous common discovery produced by the Government and relevant third-party information to all court-appointed counsel in a timely and efficient manner;
- (B) Assess the amount and type of discovery to determine what technology should be used to avoid duplicative costs;
- (C) Identify, evaluate, and engage third-party vendors and other litigation support services to assist court-appointed counsel;
- (D) Assess the needs of individual court-appointed counsel in identifying any additional vendor support that may be required – including copying, scanning, forensic imaging, data processing, data hosting, trial presentation, and other technology depending on the nature of the case;

**SO ORDERED:**

*William H. Pauley III*  
WILLIAM H. PAULEY III U.S.D.J.

12-2-15

- (E) Provide training and support services to court-appointed counsel in the use of technology that will assist in court-appointed counsels' organization and review of discovery;
- (F) Create tools based on objective criteria (such as document dates) that would assist all court appointed counsel in conducting their independent searches of discovery materials; and
- (G) Assist court-appointed counsel in the preparation of budgets and funding requests to this Court.

All negotiations with the Government concerning the type or scope of discovery shall occur through court-appointed counsel. Any discovery issue relating specifically to a particular Defendant shall be addressed by court-appointed counsel for that Defendant directly with the Government and not through the Discovery Coordinator. The Discovery Coordinator's role shall not extend to substantive review of any discovery or the formulation of any litigation strategy.

The Discovery Coordinator's duties shall not include providing any legal advice to any court-appointed counsel or any Defendant. The Discovery Coordinator shall not communicate directly with any Defendant. While the Discovery Coordinator is an attorney, she shall not establish an attorney-client relationship with any Defendant.

Unless otherwise agreed, the Government shall provide all common discovery to the Discovery Coordinator who shall duplicate and distribute the discovery to all court-appointed counsel.

The Discovery Coordinator may petition this Court ex parte for funds for outside services and shall monitor all vendor invoices for these services, including confirming that the work contracted for was performed and provided. All petitions for outside services will include a basis for the requested funds, and a determination that the proposed costs are reasonable and that the services are necessary.

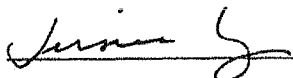
Retained counsel may obtain a copy of voluminous common discovery from the Discovery Coordinator, if retained counsel provides the Discovery Coordinator with any hard drive, flash drive, or other media necessary to receive said discovery materials.

Dated: November [ ], 2015  
New York, New York

SO ORDERED:

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WILLIAM H. PAULEY III  
U.S.D.J.



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PREET BHARARA  
United States Attorney for the  
Southern District of New York  
**By: Jessica Rose Lonergan**  
**Scott Andrew Hartman**  
**Jason Michael Swergold**  
Assistant United States Attorneys  
*On behalf of the United States of America*

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*On behalf of Defendant Dante Rodgers*

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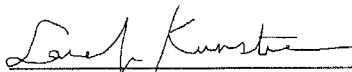
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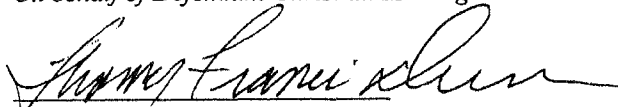
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